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**Entered on Docket November 06, 2008**  Buc a. March

Hon. Bruce A. Markell United States Bankruptcy Judge

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27 Attorneys for SHELDON G. ADELSON

28

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:

Bankruptcy No.: 07-16504-BAM

JOHN L. SMITH,

Chapter 7

Debtor.

Adversary Proceeding No. 08-01012-BAM

SHELDON G. ADELSON

ORDER OF DISMISSAL WITH PREJUDICE

Plaintiff,

v.

JOHN L. SMITH

Defendant.

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ORDER

Plaintiff having moved the Court to dismiss his complaint with prejudice pursuant to FRCP 41(a)(2), after hearing,

## IT IS HEREBY ORDERED:

- 1. Adversary proceeding number 08-01012 is dismissed with prejudice.
- 2. Plaintiff shall dismiss, as against Defendant John L. Smith only, Case No. SC087820 in the Superior Court of the State of California, County of Los Angeles, in accordance with the Request for Dismissal attached hereto as Exhibit "A."
- 3. In light of Plaintiff's voluntary dismissal with prejudice, Defendant is deemed the prevailing party in both cases.
- 4. Pursuant to Fed. R. Civ. P. 54, Plaintiff shall pay to defense counsel's client trust account(s) an amount to be stipulated by the parties or otherwise ordered by this Court as Defendant's costs incurred in Adversary Proceeding No. 08-01012.

2 ORDER OF DISMISSAL WITH PREJUDICE

## Case 08-01012-bam Doc 189 Entered 11/06/08 10:47:33 Page 3 of 5

Submitted By: Submitted By: Campbell & Williams Duane Morris LLP /s/ Donald J. Campbell
Donald J. Campbell
700 S. Seventh St. /s/ Ryan A. Loosvelt Ryan A. Loosvelt 701 Bridger Avenue, Suite 670 Las Vegas, NV 89101 Attorneys for Plaintiff Las Vegas, NV 89101 Attorneys for Defendant 

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EXHIBIT A

EXHIBIT A

	CIV-110
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):  MARTIN D. SINGER, ESQ. SBN 78166 (310)  ROBERT S. ROSS, ESQ. SBN 218913  LAVELY & SINGER PROFESSIONAL CORPORATION 2049 Century Park East, Suite 2400  Los Angeles, California 90067-2906	TELEPHONE NO.: FOR COURT USE ONLY  556-3501
ATTORNEY FOR (Name): Plaintiff SHELDON G. ADELSON	
Insert name of court and name of judicial district and branch court, if any:	
SUPERIOR COURT OF THE STATE OF CALIFORNI	TA
West L.A. Courthouse	
PLAINTIFF/PETITIONER: SHELDON G. ADELSON	
DEFENDANT/RESPONDENT: JOHN L. SMITH; BARRICAI	DE BOOKS
INC.; LYLE STUART	
	0.007.1111.000
REQUEST FOR DISMISSAL	CASE NUMBER:
Personal Injury, Property Damage, or Wrongful Death	SC 087 820
Motor Vehicle Other	
Family Law	
Eminent Domain	
x Other (specify): Libel	
- A conformed copy will not be returned by the clerk u	nless a method of return is provided with the document
TO THE CLERK: Please dismiss this action as follows:	
a. (1) X With prejudice (2) Without prejudice	
b. (1) Complaint (2) Petition (3) Cross-complaint filed by (name): (4) Cross-complaint filed by (name):	on <i>(date)</i> : on <i>(date)</i> :
The second secon	011 (00.0).
(5) Entire action of all parties and all causes of action	Continue to defendant Talan T
(6) X Other (specify):* Complaint's first cau	se of action as to defendant John L.
Smith only.	
Date: November , 2008	
MARTIN D. SINGER, ESO. SBN 78166	(SIGNATURE)
(TYPE OR PRINT NAME OF X ATTORNEY PARTY WITHOUT ATTORNEY)	Attorney or party without attorney for: Sheldon G. Adelson
<ul> <li>If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify</li> </ul>	x Plaintiff/Petitioner Defendant/Respondent
the parties, causes of action, or cross-complaints to be dismissed.	Cross - complainant
2. TO THE CLERK: Consent to the above dismissal is hereby given	**
	•
Date:	(SIGNATURE)
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)	Attorney or party without attorney for:
** If a cross-complaint-or Response (Family Law) seeking affirmative relief -is on file, the attorney for cross-complainant (respondent) must sign this consent consent if required by Code of Civil Procedure section 581(i) or (j).	Plaintiff/Petitioner Defendant/Respondent Cross - complainant
(To be completed by clerk)	
3. Dismissal entered as requested on (date):	
4. Dismissal entered on (date): as to a	only (name):
5. Dismissal not entered as requested for the following reason	
The second manner of the second manner of the second manner of the second secon	
6. a. Attorney or party without attorney notified on (date):	
b. Attorney or party without attorney not notified. Filing part	v failed to provide
a copy to conform means to return confo	
a copy to contour means to return conto	aa ook)
Deter	Clerk, by, Deputy
Date:	Clerk, by, behalf